

**CALIFORNIA HIGH-SPEED RAIL AUTHORITY  
DUTY STATEMENT**

**PARF # 46-9-107**

<b>CLASSIFICATION TITLE</b> Attorney III	<b>OFFICE/BRANCH</b> Legal	<b>LOCATION</b> Sacramento
<b>WORKING TITLE</b> Attorney	<b>POSITION NUMBER</b> 311-001-5795-009	<b>EFFECTIVE</b> 05/24/19

**GENERAL STATEMENT:**

Under the general direction of the Chief Counsel and/or Assistant Chief Counsel, the Attorney III works on the more difficult legal assignments. The incumbent studies, interprets and applies laws, court decisions, and other authorities; provides oral and written advice to staff, drafts and negotiates complex contracts and agreements; works with broad discretion and independence with minimum supervision and is expected to have advanced knowledge and be an expert in the more complex areas of the law within one or more of the following subject matters: construction, procurements, public works, design/build, infrastructure, contracts, condemnation and inverse condemnation, real property, funding and financing, environmental and land use, personnel/employment, open meetings, public records, conflicts of interest, governance, state legislation and state and federal laws and regulations. The incumbent works closely with, and directs, private outside counsel and the Attorney General's Office regarding legal advice and litigation.

**TYPICAL DUTIES:**

Percentage      Job Description  
Essential (E)/Marginal (M)

- |         |   |
|---------|---|
| 30% (E) | <ul style="list-style-type: none"><li>• Prepares analysis and advice, often in writing, and other legal support services to the Authority's management and staff regarding the legal effect of laws, regulations, rules, court decisions, and administrative actions on the more complex issues related to implementation of the high-speed rail project in all areas, including contracting, conflicts of interest, governance, construction, real property, eminent domain, funding, environmental compliance, and planning.</li></ul>  |
| 30% (E) | <ul style="list-style-type: none"><li>• Prepares or assists in the preparation and interpretation of legal documents and instructions for complex areas which include procurement solicitations, bids, contracts, real property transactions, and risk mitigation relative to the operation of the Authority. Participates in sensitive and high profile contract negotiations. Develops and reviews Authority contracts for compliance with law, policy and reasonable judgment. Reviews and evaluates contract dispute and claims issues. Conducts ongoing legal research in connection with a variety of difficult legal issues affecting the operation of the Authority. Writes and reviews proposed legislation and provides legal assistance to the Legislative Office.</li></ul> |
| 30% (E) | <ul style="list-style-type: none"><li>• Represents the Authority in various legal matters and transactions with public and private entities. Analyzes and appraises difficult legal problems and applies legal principles and precedents to particular sets of facts. Plans and directs a program of complex legal work and leads the work of assistants. Ensures that assigned contracts and agreements are administered</li></ul>   |

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and managed in accordance with the applicable policies and procedures of the Authority, the State Contracting Manual and the California Government Code as practicable given the scope/nature of the contract as well as competing duties, tasks and responsibilities, and to the extent the scope/nature of the assigned contracts and agreements inherently in their natural and usual implementation match the intent of the applicable policies and procedures.

10% (E)

- Manages outside counsel providing litigation and other legal services to the Authority. Other duties as assigned.

### **KNOWLEDGE AND ABILITIES:**

Knowledge of: Legal research methods and performing research; legal principles and their application; scope and character of California statutory law and of the provisions of the California Constitution; principles of administrative and constitutional law; trial and hearing procedure; and rules of evidence; court procedures; administrative law and the conduct of proceedings before administrative bodies; legal terms and forms in common use; statutory and case law literature and authorities; and provisions of laws and Government Code sections administered or enforced.

Ability to: Research; analyze, appraise, and apply legal principles, facts, and precedents to legal problems; analyze situations accurately and adopt an effective course of action; prepare and present statements of fact, law, and argument clearly and logically in written and oral form; prepare correspondence involving the explanation of legal matters; draft opinions, pleadings, rulings, regulations, and legislation; negotiate effectively and conduct crucial litigation; work cooperatively with a variety of individuals, organizations and maintain the confidence and respect of others; and work effectively under pressure.

### **DESIRABLE QUALIFICATIONS:**

- Strong written and oral communication skills.
- Ability to conduct legal research and writing, sometimes under short deadlines.
- Experience drafting legal documents such as legislation, regulations or contracts.
- Ability to exercise a high degree of initiative, flexibility, judgment and confidentiality.
- Ability to operate independently, but with the judgment to know when to ask for assistance and guidance from a supervisor or colleague.
- Ability to represent the Authority in dealings with other government agencies and private entities in a way that reflects well on the Authority.
- Dependable, punctual, excellent attendance.
- Knowledge of the Authority organization, operations and relevant policy issues.
- Prepare correspondence involving inclusion of recommendations for effective courses of action.
- Exercise good judgment and calm professionalism in all situations.

### **SUPERVISION EXERCISED OVER OTHERS:**

An Attorney III does not supervise lower level staff, but may act in a team lead capacity with other staff.

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**PUBLIC AND INTERNAL CONTACTS:**

All levels of staff associated with the high-speed rail project, including Authority staff and members of other state, local and federal agencies; the private sector; and the legal community (attorneys, judges, and court personnel).

**CONSEQUENCE OF ERROR/RESPONSIBILITY FOR DECISIONS:**

Errors may have a significant impact on the internal and external operations of the Authority. Successful performance of the above-listed duties is essential to ensure that legal matters are resolved in an efficient and effective manner. Failure to perform these duties effectively could result in additional costs to the state to complete the high-speed rail project and political embarrassment for the Authority in the event of improper handling of duties on the largest infrastructure project in the nation. The incumbent should exercise a high degree of initiative and independent judgment in regularly performing the most difficult duties and be able to maintain attorney-client confidentiality.

**PHYSICAL, MENTAL, AND EMOTIONAL ABILITIES:**

Must be able to work appropriately and effectively under stress, manage complex and varied workload and meet deadlines. Must also work well with all levels of Authority staff, the courts, opposing counsel, consultants, members of the public and others.

**WORK ENVIRONMENT:**

I have read and understand the duties listed above and can perform them with/without reasonable accommodation. (If you believe you may require reasonable accommodation, please discuss this with the hiring supervisor. If you are unsure whether you require reasonable accommodation, inform the hiring supervisor who will discuss your concerns with the Reasonable Accommodation Coordinator.)

Name of Employee: \_\_\_\_\_

Signature:	Date:
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I have discussed the duties with and provided a copy of this duty statement to the employee named above.

Name of Supervisor \_\_\_\_\_

Signature:	Date:
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